

PETITION FOR ZONING VARIANCE
TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY:
The undersigned, legal owner(s) of the property situate in Baltimore County and who is described in the description and plat attached hereto and made a part hereof, hereby petition for a Variance from Section 1A03.4B.4 (1A00.2.B.2) to permit a sideyard setback of 25 feet instead of the required 50 feet.

The undersigned, legal owner(s) of the property situate in Baltimore County and who is described in the description and plat attached hereto and made a part hereof, hereby petition for a Variance from Section 1A03.4B.4 (1A00.2.B.2) to permit a sideyard setback of 25 feet instead of the required 50 feet.

Property is to be posted and advertised as prescribed by Zoning Regulations.
I, or we, agree to pay expenses of above Variance advertising, posting, etc., upon filing of this petition, and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law for Baltimore County.

I/We do solemnly declare and affirm, under the penalties of perjury, that I/we are the legal owner(s) of the property which is the subject of this Petition.

Contract Purchaser: Daniel W. Heavrin
(Type or Print Name)
Signature
Address
City and State
Name, address and phone number of legal owner, contract purchaser or representative to be contacted
City and State
Attorney's Telephone No.

ORDERED By The Zoning Commissioner of Baltimore County, this 14th day of July, 1981, that the subject matter of this petition be advertised, as required by the Zoning Law of Baltimore County, in two newspapers of general circulation throughout Baltimore County, that property be posted, and that the public hearing be held before the Zoning Commissioner of Baltimore County in Room 106, County Office Building in Towson, Baltimore County, on the 17th day of September, 1981, at 10:00 o'clock A.M.

Zoning Commissioner of Baltimore County.

BALTIMORE COUNTY
OFFICE OF PLANNING AND ZONING
TOWSON, MARYLAND 21204
494-3211
NORMAN E. GERDER
DIRECTOR

September 9, 1981
Mr. William Hammond, Zoning Commissioner
Zoning Advisory Committee
Office of Planning and Zoning
Baltimore County Office Building
Towson, Maryland 21204

Dear Mr. Hammond:
Comments on Item #7, Zoning Advisory Committee Meeting, July 14, 1981, are as follows:

Property Owner: Daniel W. Heavrin
Location: SW/Side Falls Road 500' N/W of Evna Road
Acres: 179.68/130.00 X 395.00/500.00
District: 8th

This office has reviewed the subject petition and offers the following comments. These comments are not intended to indicate the appropriateness of the zoning in question, but are to assure that all parties are made aware of plans or problems with regard to development plans that may have a bearing on this petition.

This petition meets the requirements of the Division of Current Planning and Development.

Very truly yours,
John L. Wimbley
Planner III
Current Planning and Development

JLW:rh

BALTIMORE COUNTY
ZONING PLANS
ADVISORY COMMITTEE
PETITION AND SITE PLAN
EVALUATION COMMENTS

baltimore county
department of traffic engineering
TOWSON, MARYLAND 21204
1301 424 3350

STEPHIE COLLINS
DIRECTOR

Mr. William Hammond
Zoning Commissioner
County Office Building
Towson, Maryland 21204

Dear Mr. Hammond:

The Department of Traffic Engineering has no comment for items number 6,7,8, and 10 of ZAC meeting July 14, 1981.

Michael S. Manigan
Traffic Engineering Associate II

XSF/jett

BALTIMORE COUNTY ZONING PLANS ADVISORY COMMITTEE

CHIEF OF OFFICE BUILDING
111 W. Chesapeake Ave.
Towson, Maryland 21204

Chairman
Nicholas B. Commodari

MEMBERS
Department of Engineering

Department of Planning
Department of Public Works

Department of Public Works
Department of Planning

Department of Public Works
Department of Planning

Department of Public Works
Department of Planning

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Department of Public Works
Department of Planning

September 9, 1981

Daniel W. Heavrin
306 Hometown Way
Cockeysville, Maryland 21030

RE: Item # 7
Daniel W. Heavrin
Variance Petition

Dear Mr. Heavrin:

The Zoning Plans Advisory Committee has reviewed the plans submitted with the above referenced petition. The following comments are not intended to indicate the appropriateness of the zoning action requested, but to assure that all parties are made aware of plans or problems with regard to the development plans that may have a bearing on this case. The Director of Planning may file a written report with the Zoning Commissioner with recommendations as to the suitability of the requested zoning.

Enclosed are all comments submitted to this office from the committee members at this time. The remaining members felt that no comment was warranted. This petition was accepted for filing on the date of the enclosed certificate and a hearing scheduled accordingly.

Very truly yours,

NICHOLAS B. COMODARI
Chairman
Zoning Plans Advisory Committee

Enclosures

BALTIMORE COUNTY
DEPARTMENT OF HEALTH
TOWSON, MARYLAND 21204

CHIEF OF OFFICE BUILDING
111 W. Chesapeake Ave.
Towson, Maryland 21204

September 14, 1981

Mr. William E. Hammond, Zoning Commissioner
Office of Planning and Zoning
County Office Building
Towson, Maryland 21204

Dear Mr. Hammond:

Comments on Item 7, Zoning Advisory Committee Meeting of July 14, 1981, are as follows:

Property Owner: Daniel W. Heavrin
Location: SW/Side Falls Road 500' N/W of Evna Road
Existing Zoning: R.C. 1
Proposed Zoning: Variance to permit a side yard setback of 25' in lieu of the required 50'.
Acres: 179.68/130.00 X 395/500.00
District: 8th

The proposed dwelling will be served by an existing water well and proposed sewage disposal system.

A review has been made of the water well yield test performed in 1976 by William C. James. The report of the yield test indicates that the test was not performed in accordance with the procedures approved by the Board of Health; therefore, a new test will be required prior to approval of a Building Permit.

Prior to application for a building permit, additional soil percolation tests will be required. The proposed location of the dwelling will not interfere with the location of the well and septic system.

Prior to occupancy of the dwelling, the potability of the water supply must be verified by the collection of bacteriological and chemical water samples.

Very truly yours,

Ian J. Forrest
Director
BUREAU OF ENVIRONMENTAL SERVICES

LIF/fth

BALTIMORE COUNTY
DEPARTMENT OF PUBLIC WORKS
TOWSON, MARYLAND 21204

HARRY J. BISTEL, P.E.
DIRECTOR

August 5, 1981

Mr. William E. Hammond
Zoning Commissioner
County Office Building
Towson, Maryland 21204

RE: Item #7 (1981-1982)
Property Owner: Daniel W. Heavrin
S/W Side Falls Rd. 500' N/W of Evna Rd.
Acres: 179.68/130.00 X 395.00/500.00
District: 8th

Dear Mr. Hammond:

The following comments are furnished in regard to the plat submitted to this office for review by the Zoning Advisory Committee in connection with the subject item.

General:

Baltimore County highway and utility improvements are not directly involved and are as secured by Public Works Agreement #77604 executed in conjunction with the development of Prettyboy Garth, of which this property comprises lot 3, Section One - Plat One Prettyboy Garth, recorded E.H.K., Jr. 39, Folio 24.

This property which is situated in the 7th Election District (not 8th Election District as indicated) of Baltimore County, is beyond the Baltimore County Metropolitan District and the Urban-Rural Demarcation Line. Baltimore County Water and Sewerage Plans W and S-10 A and B, as amended, indicate "No Planned Service" in the area.

The Petitioner is cautioned that no encroachment by construction of any structure, including footings, is permitted within Baltimore County rights-of-way and utility easements.

Development of this property through stripping, grading and stabilization could result in a sediment pollution problem, damaging private and public holdings downstream of the property. A grading permit is, therefore, necessary for all grading, including the stripping of top soil.

The Petitioner must provide necessary drainage facilities (temporary or permanent) to prevent creating any nuisances or damages to adjacent properties, especially by the concentration of surface waters. Correction of any problem which may result, due to improper grading or improper installation of drainage facilities, would be the full responsibility of the Petitioner.

Very truly yours,

ROBERT A. MORTON, P.E., Chief
Bureau of Public Services

RAM:EAM:FWB:ess

cc: Jack Wimbley, Paul Koch

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: Nick Commodari
FROM: Charles E. (Ted) Burnham
SUBJECT: Zoning Advisory Committee Meeting of July 14, 1981

ITEM NO. 6 See Comments.
ITEM NO. 7 Standard Comments.
ITEM NO. 8 See Comments.
ITEM NO. 9 See Comments.
ITEM NO. 10 See Comments.

Charles E. (Ted) Burnham
Plans Review Supervisor

CEB:rrj

Pursuant to the advertisement, posting of property, and public hearing on the Petition and it appearing that strict compliance with the Baltimore County Zoning Regulations would result in practical difficulty and unreasonable hardship upon the Petitioner(s) and granting of the variance(s) requested will not adversely affect the health, safety, and general welfare of the community, the variance(s) should ~~not~~ be granted.

Therefore, IT IS ORDERED by the Deputy Zoning Commissioner of Baltimore County, this 29th day of October, 1981, that the herein Petition for Variance(s) to permit a side yard setback of 25 feet in lieu of the required 50 for a dwelling designed to utilize solar energy should be and the same is GRANTED, from and after the date of this Order, subject, however, to the following restrictions:

1. The site plan shall indicate the house to be located no closer than 136 feet from the northern property line and the east side of the house to be 40 feet in length.
2. A revised site plan, incorporating the above restriction, shall be submitted for approval by the Department of Public Works and the Office of Planning and Zoning.

Jan M. H. Jung
Deputy Zoning Commissioner of
Baltimore County

BALTIMORE COUNTY PUBLIC SCHOOLS

Robert V. Jubel, Superintendent

Towson, Maryland - 21204

Date: July 9, 1981

Mr. William E. Hammond
Zoning Commissioner
Baltimore County Office Building
1111 West Chesapeake Avenue
Towson, Maryland 21204

Z.A.C. Meeting of: July 14, 1981

RE: Item No: 6, 7, 8, 9, 10
Property Owner:
Location:
Present Zoning:
Proposed Zoning:

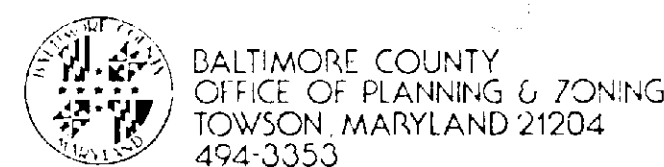
District:
No. Acres:

Dear Mr. Hammond:

All of the above have no bearing on student population.

Very truly yours,
Wm. Nick Petrovich
Wm. Nick Petrovich, Assistant
Department of Planning

WNP/bp



September 10, 1981

Mr. Daniel W. Heavrin
306 Hometown Way
Cockeysville, Maryland 21030

RE: Petition for Variance
S/s Falls Road, 500' NW of Evna Rd.
Case #82-84-A

Dear Mr. Heavrin:

This is to advise you that \$47.63 is due for advertising and posting of the above property.

Please make check payable to Baltimore County, Maryland, and remit to Karen Riegel, Room 113, County Office Building, Towson, Maryland 21204 before the hearing.

Very truly yours,
William E. Hammond
WILLIAM E. HAMMOND

WEH:klr

BALTIMORE COUNTY, MARYLAND		No. 101621
OFFICE OF FINANCE-REVENUE DIVISION		
MISCELLANEOUS CASH RECEIPT		
DATE <u>9/17/81</u>	ACCOUNT <u>01-652</u>	
AMOUNT <u>\$47.63</u>		
RECEIVED FROM <u>Daniel W. Heavrin</u>		
FOR <u>Posting & Advertising of Case #82-84-A</u>		

47.63

VALIDATION OR SIGNATURE OF CASHIER

RE: PETITION FOR VARIANCE : BEFORE THE ZONING COMMISSIONER
S/S of Falls Rd., 500'
NW of Evna Rd., 7th District : OF BALTIMORE COUNTY
DANIEL W. HEAVRIN, Petitioner : Case No. 82-84-A

ORDER TO ENTER APPEARANCE

Mr. Commissioner:

Pursuant to the authority contained in Section 524.1 of the Baltimore County Charter, I hereby enter my appearance in this proceeding. You are requested to notify me of any hearing date or dates which may be now or hereafter designated therefore, and of the passage of any preliminary or final Order in connection therewith.

Peter M. Zimmerman
Deputy People's Counsel

John W. Hession, III
People's Counsel for Baltimore County
Rm. 223, Court House
Towson, Maryland 21204
494-2183

I HEREBY CERTIFY that on this 26th day of August, 1981, a copy of the foregoing Order was mailed to Mr. Daniel W. Heavrin, 306 Hometown Way, Cockeysville, Maryland 21030, Petitioner.

John W. Hession, III
John W. Hession, III

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

Mr. W. E. Hammond
Zoning Commissioner
TO: Norman E. Gerber, Director
FROM: Office of Planning and Zoning
SUBJECT: Petition No. 82-84-A Item 7
Date: September 3, 1981

Petition for Variance
South side of Falls Road, 500' northwest of Evna Road
Petitioner- Daniel W. Heavrin

Seventh District

HEARING: Thursday, September 17, 1981 (10:00 A.M.)

There are no comprehensive planning factors requiring comment on this petition.

Norman E. Gerber
Norman E. Gerber, Director
Office of Planning and Zoning

NEG:JGH:ab

Mr. Daniel W. Heavrin
306 Hometown Way
Cockeysville, Maryland 21030

August 20, 1981

NOTICE OF HEARING

RE: Petition for Variance
S/s Falls Rd., 500' Northwest of Evna Rd.
Case #82-84-A

TIME: 10:00 A.M.

DATE: Thursday, September 17, 1981

PLACE: ROOM 106 COUNTY OFFICE BUILDING, 111 W. CHESAPEAKE AVENUE,

TOWSON, MARYLAND

William E. Hammond
WILLIAM E. HAMMOND
ZONING COMMISSIONER OF
BALTIMORE COUNTY

/klr

PETITION FOR VARIANCE

7th DISTRICT

ZONING: Petition for Variance
LOCATION: South side of Falls Rd., 500' northwest of Evna Rd.
DATE & TIME: Thursday, September 17, 1981 at 10:00 A.M.
PUBLIC HEARING: Room 106, County Office Building, 111 W. Chesapeake Avenue, Towson, Maryland

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing:

Petition for Variance to permit a side yard setback of 25 feet instead of the required 50 feet.

The Zoning Regulation to be excepted as follows:

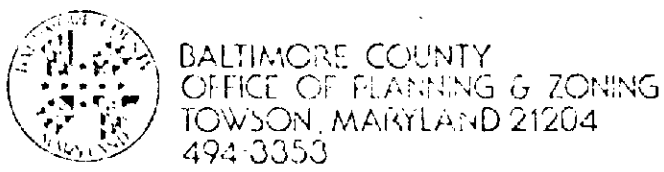
Section 1A03.4B.4 - Minimum side yard setback in R. C. 4 Zone

All that parcel of land in the Seventh District of Baltimore County

Being the property of Daniel W. Heavrin as shown on plat plan filed with the Zoning Department

Hearing Date: Thursday, September 17, 1981 at 10:00 A.M.
Public Hearing: Room 106, County Office Building, 111 W. Chesapeake Avenue, Towson, Maryland

BY ORDER OF
WILLIAM E. HAMMOND
ZONING COMMISSIONER
OF BALTIMORE COUNTY



WILLIAM E. HAMMOND
ZONING COMMISSIONER

October 29, 1981

Mr. Daniel W. Heavrin
306 Hometown Way
Cockeysville, Maryland 21030

RE: Petition for Variance
S/S of Falls Rd., 500' NW of Evna Rd.
7th Election District
Daniel W. Heavrin - Petitioner
NO. 82-84-A (Item No. 7)

Dear Mr. Heavrin:

I have this date passed my Order in the above captioned matter in accordance with the attached.

Very truly yours,

Jan M.H. Jung
JEAN M.H. JUNG
Deputy Zoning Commissioner

JMHJ/mc

Attachments

cc: Mr. Bruce Votta
3 Pretty Boy Garth
Parkton, Maryland 21120

Mr. Robert Bynion
1909 Falls Road
Parkton, Maryland 21120

John W. Hessian, III, Esquire
People's Counsel

Daniel W. Heavrin
306 Hometown Way
Cockeysville, Maryland 21030

BALTIMORE COUNTY OFFICE OF PLANNING & ZONING

County Office Building
111 W. Chesapeake Avenue
Towson, Maryland 21204

Your Petition has been received and accepted for filing this 11th day of July, 19 81

William E. Hammond
WILLIAM E. HAMMOND
Zoning Commissioner

Petitioner Daniel W. Heavrin
Petitioner's Attorney _____

Reviewed by Nicholas B. Commodari
Nicholas B. Commodari
Chairman, Zoning Plans
Advisory Committee

BALTIMORE COUNTY OFFICE OF PLANNING & ZONING

County Office Building
111 W. Chesapeake Avenue
Towson, Maryland 21204

Your Petition has been received this 30 day of June, 1981.

Filing Fee \$ 25.00 Received: ☒ Check
☐ Cash
☐ Other

BALTIMORE COUNTY, MARYLAND
OFFICE OF FINANCE - REVENUE DIVISION
MISCELLANEOUS CASH RECEIPT

No. 100454

By William E. Hammond
Zoning Commissioner

DATE 8/19/81 ACCOUNT 01-667

AMOUNT \$25.00

RECEIVED FROM Daniel W. Heavrin
FOR Filing fee for Case #82-84-A

VALIDATION OR SIGNATURE OF CASHIER

PETITION MAPPING PROGRESS SHEET										
FUNCTION	Wall Map		Original		Duplicate		Tracing		200 Sheet	
	date	by	date	by	date	by	date	by	date	by
Descriptions checked and outline plotted on map										
Petition number added to outline										
Denied										
Granted by ZC, BA, CC, CA										
Reviewed by: <u>OK</u>	Revised Plans:				Change in outline or description <u>Yes</u> Previous case: _____ Map # _____ <u>No</u>					

CERTIFICATE OF POSTING ZONING DEPARTMENT OF BALTIMORE COUNTY Towson, Maryland

District 7th Date of Posting August 11, 1981
Posted for: Heavrin
Petitioner: Daniel W. Heavrin
Location of property: 500' NW of Evna Rd.
Location of Signs: 500' NW of Evna Rd.
Remarks: _____
Posted by: J. A. Jung Signature Date of return: Sept 11, 1981
Number of Signs: 1

CERTIFICATE OF PUBLICATION

TOWSON, MD. August 27, 1981
THIS IS TO CERTIFY, that the annexed advertisement was published in THE JEFFERSONIAN, a weekly newspaper printed and published in Towson, Baltimore County, Md., on August 27, 1981 of one time successive weeks before the 17th day of September, 19 81, the first publication appearing on the 27th day of August, 1981.

THE JEFFERSONIAN
Richard J. Sullivan
Manager

Cost of Advertisement, \$ 19.75

Petition For Variance 7th DISTRICT

ZONING: Petition for Variance
LOCATION: South side of Falls Rd., 500' north west of Evna Rd.
DATE & TIME: Thursday, September 17, 1981 at 10:00 A.M.
PUBLIC HEARING: Room 106, County Office Building, 111 W. Chesapeake Avenue, Towson, Maryland.

The Zoning Commission of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing.

Petition for Variance to permit a side yard setback of 25 feet instead of the required 50 feet.

The Zoning Commission of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing.

All that parcel of land in the Seventh District of Baltimore County, beginning at a point on the Southwest side of Falls Road, said point being 500 feet Northwest of the intersection of Evna Road and Falls Road, being known and designated as Lot 2, as shown on the Plat One, Prettyboy Garth, and Plat One, Prettyboy Garth, and being recorded January 14, 1976, among the Plat Book Records of Baltimore County in Plat Book E H R Jr No 38 Folio 24.

Being the property of Daniel W. Heavrin as shown on the plat plan filed with the Zoning Department.

Public Hearing: Thursday, September 17, 1981 at 10:00 A.M.
Public Hearing Room 106, County Office Building, 111 W. Chesapeake Avenue, Towson, Maryland.

BY ORDER OF
William E. Hammond
Zoning Commissioner
Of Baltimore County

The Times
Middle River, Md., August 19
This is to Certify, That the annexed was inserted in The Times, a newspaper printed and published in Baltimore County, once in each of one successive weeks before the 17th day of September, 19 81.
Publisher.

